

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Maurice W. Scott (a/k/a Maurice Scott,)
Maurice Wyman Scott, Sr.,) C/A No.: 3:06-3051-MBS
)
Plaintiff,)
)
vs.)
)
Equifax Credit Information Service, Inc.,)
)
Defendant.)

)

ORDER

Plaintiff Maurice W. Scott is a pro se litigant. On October 26, 2006, he filed a complaint alleging violations of the Fair Credit Reporting Act.

In accordance with 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Joseph R. McCrorey for pretrial handling. On October 30, 2006, the Magistrate Judge issued an order directing Plaintiff to bring his complaint in proper form within twenty days by (1) completing, signing, and filing a Form USM-285, and (2) submitting completed and signed pro se answers to Rule 26.01 Interrogatories. Plaintiff was cautioned that his failure to bring the case into proper form could result in dismissal of the action.

Plaintiff did not respond to the “twenty day” order of the Magistrate Judge. Accordingly, on November 28, 2006, the Magistrate Judge issued a Report and Recommendation in which he recommended that the case be dismissed without prejudice and without issuance and service of process. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo

determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has thoroughly reviewed the record. The court concurs in the Report and Recommendation and incorporates it herein by reference. The within action is dismissed without prejudice and without issuance and service of process because Plaintiff did not respond to the “twenty-day” order of October 30, 2006.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

December 27, 2006

Columbia, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.